

MULTIMEDIA



UNIVERSITY

STUDENT ID. NO.

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2017/2018

EHM3106 – LAW FOR ENGINEERS
(All sections / Groups)

14 OCTOBER 2017
9.00 a.m – 11.00 a.m
(2 Hours)

INSTRUCTION TO STUDENT

1. This question paper consists of 3 pages with 4 questions only.
2. Attempt **ALL** questions. All questions carry equal marks and the distribution of the marks for each question is given.
3. Please write all your answers in the Answer Booklet provided.

Question 1

Ali wishes to set up a mobile application based taxi service in Malacca. He contacts Abu and enters into an agreement for Abu to produce a mobile application for the said service for a fee of RM55,500.00, post GST. Since launching the service 3 months ago, Ali realises that the business is not making as much money as he had hoped. Upon further investigation, he discovered that the mobile application was only applicable and accessible within the Ayer Keroh and Melaka Raya areas. Advise Ali as to the laws for remedies for contracts and what he may claim for in this situation.

[25 marks]

Question 2

Negligence is a type of unintentional tort that could cause severe harm to persons and/or their property. As a result, it is an important area of law in modern society. Liability in negligence is dependent on three elements that must all be established: a duty of care, breach of the duty of care and damage to the plaintiff that is not too remote from the breach.

Explain the second element mentioned above with regards to how a breach of duty may be established.

[25 marks]

Question 3

- a. Patents are normally associated with invention. However, patents are not synonymous with invention. There are inventions which are not patentable. As the Patents Act 1983 does not define the word "patent" specifically, explain from your knowledge what you understand about patents and elaborate both patentable requirements and non-patentable limitations of an invention.

[15 marks]

- b. Article 35 of TRIPS in Relation to the IPIC Treaty states that "Members agree to provide protection to the layout-designs (topographies) of integrated circuits in accordance with the Treaty on Intellectual Property in Respect of Integrated Circuits". Malaysia as a member of IPIC Treaty has enacted an act to protect layout-designs under Layout-Designs of Integrated Circuits Act 2000 (Act 601). With reference to this Act express the definition of integrated circuit and layout-design (topography) of an integrated circuit.

[5 marks]

- c. There are many laws and legislations governing the relationship between employers and employees. Such legislations or laws are necessary as to regulate the administration of employees from employment stage to welfare of workers. List down at least five relevant laws or legislations and briefly explain the main purpose of each in regulating the employment of workers.

[5 marks]

Continued...

Question 4

a) The Board of Engineers, Malaysia (BEM) and the Institution of Engineers, Malaysia (IEM), both have a very important responsibility in regulating and maintaining the professionalism of engineers in Malaysia.

i. Briefly explain the main objective of Registration of Engineers Act 1967. [3 marks]

ii. List down the amendments made in Registration of Engineers (Amendments) Act 2007 and amendments made in Registration of Engineers (Amendments) Act 2015. [10 marks]

b) Following are preponderant legislations governing the safety of workers, human life, properties and environment. Explain briefly the main components of Factories Machinery Act 1967, Fire Services Act 1988 and Environmental Quality Act 1974. [12 marks]

End of Paper